

RESOLUTION NUMBER NO. 01-01-07

A RESOLUTION OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT AMENDING THE 2006 FINAL ASSESSMENT RESOLUTION (RESOLUTION 28-08-06) RELATING TO THE CONSTRUCTION AND FUNDING OF WASTEWATER COLLECTION, TRANSMISSION, AND TREATMENT FACILITIES WITHIN THE DISTRICT; ESTABLISHING THE TERMS AND CONDITIONS OF PROPOSED SPECIAL ASSESSMENTS TO FUND THE FACILITIES AND THE METHOD OF THEIR COLLECTION; ESTABLISHING PROCEDURES FOR CORRECTION OF ERRORS AND OMISSIONS IN ASSESSMENT ROLLS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on August 9, 2006, the District adopted the 2006 Final Assessment Resolution (No. 28-08-06); and

WHEREAS, the owners of certain Commercial Accommodations have raised concerns about the method used to calculate System Development Charges; and

WHEREAS, the District has decided to reconsider the method of calculation of System Development Charges as applied to Commercial Accommodations, only;;

NOW, THEREFORE, be it resolved by the Board of Commissioners of the Key Largo Wastewater Treatment District, as follows:

Section 1. Section 4.03.E of the 2006 Final Assessment Resolution is amended to read as follows:

E. Commercial Accommodation Tax Parcels. The District hereby establishes an interim method of calculating the SDC for Commercial Accommodation Tax Parcels. The interim method shall be used to establish an estimated SDC, which shall be calculated in the same manner as for Non-Residential Tax Parcels. The District will reconsider the method of calculating the SDC for Commercial Accommodation Tax Parcels after completion of a rate study update by Public Resources Management Group, Inc. The study is anticipated to be complete by April 30, 2007. If the District further modifies the method of calculating the SDC for Commercial Accommodation Tax Parcels, the amount of the SDC may increase or decrease.

Section 2. The effect of this Amendment 4 on assessments already issued by the Monroe County Tax Collector shall be as follows: If application of Amendment 4 results in a decrease of the assessment for any Tax Parcel, the District shall so advise the Monroe County Tax Collector, and shall request that the Monroe County Tax Collector issue an amended tax bill reflecting this decrease. If application of Amendment 4 results in an increase of the SDC for any Tax Parcel, the District shall defer collection of the increased amount until calculation of the assessment for the 2007 tax bill.

Section 3. This amendment shall be known as Amendment 4 to the 2006 Final Assessment Resolution.

Section 4. This Resolution shall take effect immediately upon its adoption by the District.

The foregoing RESOLUTION NO. 01-01 07 was offered by Commissioner Higgins, who moved its approval. The motion was seconded by Commissioner Bauman,

and being put to a vote the result was as follows:

	AYE	NAY
Commissioner Gary Bauman	<u>X</u>	___
Commissioner Susan Hammaker	<u>X</u>	___
Commissioner Andrew Tobin	<u>X</u>	___
Commissioner Norman Higgins	<u>X</u>	___
Chairman Claude Bullock	<u>X</u>	___

The Chairman thereupon declared Resolution No. 01-01-07 duly passed and adopted the 9th day of January 2007.

KEY LARGO WASTEWATER TREATMENT DISTRICT GOVERNING BOARD

By Claude M. Bullock
Claude Bullock, Chairman

Attest:

By Carol Walker
Carol Walker, Board Clerk

Approved as to form and content:

By Thomas M. Dillon
District Counsel

